

OPEN MEETING ITEM

COMMISSIONERS
SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE



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ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
DOCKET CONTROL

2015 FEB 4 AM 10 03

DATE: FEBRUARY 4, 2015

DOCKET NO.: T-03865A-14-0357

ORIGINAL

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Sasha Paternoster. The recommendation has been filed in the form of an Order on:

CTI LONG DISTANCE, INC.
(CC&N CANCELLATION)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

FEBRUARY 13, 2015

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:


MARCH 2, 2015 and MARCH 3, 2015


For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

FEB 04 2015

DOCKETED BY 


JODI JERICH
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347
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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov.

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - Chairman
4 BOB STUMP
5 BOB BURNS
6 DOUG LITTLE
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION OF CTI
9 LONG DISTANCE, INC. FOR APPROVAL TO
10 DISCONTINUE LONG DISTANCE SERVICE IN
11 ARIZONA.

DOCKET NO. T-03865A-14-0357

DECISION NO. _____

12 **ORDER**

13 Open Meeting
14 March 2 and 3, 2015
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

17 Having considered the entire record herein and being fully advised in the premises, the
18 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

19 * * * * *

20 **FINDINGS OF FACT**

21 1. On August 24, 2000, the Commission issued Decision No. 62849 granting CTI Long
22 Distance, Inc. ("CTI" or "Company") a Certificate of Convenience and Necessity ("CC&N") to provide
23 competitive resold long distance telecommunications services within the State of Arizona. The Decision
24 also prohibited CTI from collecting advances, deposits, and/or prepayments from Arizona customers.

25 2. On October 1, 2014, CTI filed with the Commission a letter stating that CTI intended to
26 discontinue providing resold long distance telecommunications services within the State of Arizona on
27 December 3, 2014. In the letter, CTI stated it had 37 customers to which it provided resold long distance
28 services and that notice had been sent to all affected customers of the Company's intent to discontinue
providing resold long distance services. According to the letter, CTI sought to have its customers
transferred to other long distance services by December 3, 2014. CTI included a handful of available
alternate long distance providers, indicating a comprehensive list would not be feasible given the large
number of providers.

1 3. On November 24, 2014, CTI filed proof of publication in *The Arizona Republic*, a
2 newspaper of general circulation in Arizona, that CTI would discontinue its resold long distance
3 services in Arizona as of December 3, 2014. The letter also included a copy of the notice of
4 discontinuance of service CTI provided to its customers on September 26, 2014.

5 4. On December 30, 2014, the Commission's Utilities Division ("Staff") filed a Staff Report in
6 this matter recommending approval of CTI's application to cancel its CC&N.

7 5. According to the Commission's Consumer Services Section, zero complaints, inquiries, or
8 opinions were filed against CTI from January 1, 2011 to October 10, 2014.

9 6. The Commission's Compliance Section reports that there are no current compliance
10 delinquencies for CTI and the Corporations Division states CTI is in good standing. However, Staff
11 indicates CTI has not filed a Utilities Division Annual Report with the Utilities Division since 2010.

12 7. Arizona Administrative Code ("A.A.C.") R14-2-1107(A)(2) requires that an application to
13 discontinue service include verification that all affected customers have been notified of the proposed
14 discontinuance and that all affected customers will have access to an alternative provider. CTI indicated in
15 its letter and subsequently provided proof that all customers have been notified.

16 8. A.A.C. R14-2-1107(A)(4) requires that an application to discontinue service include a list of
17 alternative utilities providing the same or similar service in all counties affected by its application within 20
18 days after filing the application. While CTI's list was not exhaustive, CTI did provide names of available
19 alternate long distance providers and, as such, has met the intent of the rule.

20 9. A.A.C. R14-2-1107(B) requires a competitive telecommunications provider to publish
21 legal notice of its application to discontinue service in all counties affected by its application within
22 20 days after filing the application. CTI provided proof that notice of CTI's intent to discontinue
23 service was published statewide.

24 10. Staff's recommendation for approval of CTI's application to cancel its CC&N to
25 provide resold long distance telecommunications services is reasonable and should be adopted.

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27 ...

CONCLUSIONS OF LAW

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2 1. CTI Long Distance, Inc. is a public service corporation within the meaning of Article
3 XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

4 2. The Commission has jurisdiction over CTI Long Distance, Inc. and the subject matter
5 of the application.

6 3. CTI Long Distance, Inc. has complied with the notice requirements of A.A.C. R14-2-
7 1107(A)(2), (A)(4), and (B).

8 4. The cancellation of CTI Long Distance, Inc.'s CC&N is in the public interest.

9 5. Staff's recommendations are reasonable and should be adopted.

ORDER

10
11 IT IS THEREFORE ORDERED that the application of CTI Long Distance, Inc. for the
12 cancellation of its Certificate of Convenience and Necessity to provide resold long distance
13 telecommunications services in Arizona shall be, and is hereby, approved, and the Certificate of
14 Convenience and Necessity is cancelled.

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IT IS FURTHER ORDERED that CTI Long Distance, Inc.'s telecommunications services tariff on file with the Commission is hereby cancelled.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____ 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____
SP:tv

1 SERVICE LIST FOR: CTI LONG DISTANCE, INC.

2 DOCKET NO.: T-03865A-14-0357

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